

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 21

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLEMENS.

Read 1st time February 12, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1060S.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 8, 9, and 11 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the general assembly.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2008, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2, 5, 8, 9, and 11, article III, Constitution of Missouri,
2 is repealed and five new sections adopted in lieu thereof, to be known as sections
3 2, 5, 8, 9, and 11, to read as follows:

Section 2. The house of representatives shall consist of one hundred
2 sixty-three members **and, beginning with the ninety-seventh general**
3 **assembly, one hundred one members**, elected at each general election **and,**
4 **beginning with the ninety-seventh general assembly, elected for a term**
5 **of four years**, and apportioned in the following manner: Within sixty days after
6 the population of this state is reported to the President for each decennial census
7 of the United States and, in the event that a reapportionment has been
8 invalidated by a court of competent jurisdiction, within sixty days after
9 notification by the governor that such a ruling has been made, the congressional
10 district committee of each of the two parties casting the highest vote for governor
11 at the last preceding election shall meet and the members of the committee shall
12 nominate, by a majority vote of the members of the committee present, provided
13 that a majority of the elected members is present, two members of their party,
14 residents in that district, as nominees for reapportionment

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 commissioners. Neither party shall select more than one nominee from any one
16 state legislative district. The congressional committees shall each submit to the
17 governor their list of elected nominees. Within thirty days the governor shall
18 appoint a commission consisting of one name from each list to reapportion the
19 state into one hundred and sixty-three representative districts **and, beginning**
20 **with the ninety-seventh general assembly, one hundred one districts,**
21 and to establish the numbers and boundaries of said districts.

22 If any of the congressional committees fails to submit a list within such
23 time the governor shall appoint a member of his own choice from that district and
24 from the political party of the committee failing to make the appointment.

25 Members of the commission shall be disqualified from holding office as
26 members of the general assembly for four years following the date of the filing by
27 the commission of its final statement of apportionment.

28 For the purposes of this article, the term congressional district committee
29 or congressional district refers to the congressional district committee or the
30 congressional district from which a congressman was last elected, or, in the event
31 members of congress from this state have been elected at large, the term
32 congressional district committee refers to those persons who last served as the
33 congressional district committee for those districts from which congressmen were
34 last elected, and the term congressional district refers to those districts from
35 which congressmen were last elected. Any action pursuant to this section by the
36 congressional district committee shall take place only at duly called meetings,
37 shall be recorded in their official minutes and only members present in person
38 shall be permitted to vote.

39 The commissioners so selected shall on the fifteenth day, excluding
40 Sundays and holidays, after all members have been selected, meet in the capitol
41 building and proceed to organize by electing from their number a [chairman]
42 **chair**, vice [chairman] **chair** and secretary and shall adopt an agenda
43 establishing at least three hearing dates on which hearings open to the public
44 shall be held. A copy of the agenda shall be filed with the clerk of the house of
45 representatives within twenty-four hours after its adoption. Executive meetings
46 may be scheduled and held as often as the commission deems advisable.

47 The commission shall reapportion the representatives by dividing the
48 population of the state by the number one hundred sixty-three **and, beginning**
49 **with the ninety-seventh general assembly, one hundred one,** and shall
50 establish each district so that the population of that district shall, as nearly as

51 possible, equal that figure.

52 Each district shall be composed of contiguous territory as compact as may
53 be.

54 Not later than five months after the appointment of the commission, the
55 commission shall file with the secretary of state a tentative plan of apportionment
56 and map of the proposed districts and during the ensuing fifteen days shall hold
57 such public hearings as may be necessary to hear objections or testimony of
58 interested persons.

59 Not later than six months after the appointment of the commission, the
60 commission shall file with the secretary of state a final statement of the numbers
61 and the boundaries of the districts together with a map of the districts, and no
62 statement shall be valid unless approved by at least seven-tenths of the members.

63 After the statement is filed members of the house of representatives shall
64 be elected according to such districts until a reapportionment is made as herein
65 provided, except that if the statement is not filed within six months of the time
66 fixed for the appointment of the commission, it shall stand discharged and the
67 house of representatives shall be apportioned by a commission of six members
68 appointed from among the judges of the appellate courts of the state of Missouri
69 by the state supreme court, a majority of whom shall sign and file its
70 apportionment plan and map with the secretary of state within ninety days of the
71 date of the discharge of the apportionment commission. Thereafter members of
72 the house of representatives shall be elected according to such districts until a
73 reapportionment is made as herein provided.

74 Each member of the commission shall receive as compensation fifteen
75 dollars a day for each day the commission is in session but not more than one
76 thousand dollars, and, in addition, shall be reimbursed for his actual and
77 necessary expenses incurred while serving as a member of the commission.

78 No reapportionment shall be subject to the referendum.

 Section 5. The senate shall consist of thirty-four members elected by the
2 qualified voters of the respective districts for four years, **except that beginning**
3 **with the ninety-seventh General Assembly, the thirty-four members**
4 **shall be elected for a term of six years.** For the election of senators, the state
5 shall be divided into convenient districts of contiguous territory, as compact and
6 nearly equal in population as may be.

 Section 8. No one shall be elected to serve more than eight years total in
2 any one house of the General Assembly nor more than sixteen years total in both

3 houses of the General Assembly. **Beginning with the ninety-seventh General**
4 **Assembly, no one shall be elected to serve more than twelve years total**
5 **in any one house of the General Assembly nor more than twenty-four**
6 **years total in both houses of the General Assembly, disregarding any**
7 **prior service.** In applying this section, service in the General Assembly
8 resulting from an election prior to December 3, 1992, or service of less than one
9 year, in the case of a member of the house of representatives, or two years, in the
10 case of a member of the senate, by a person elected after the effective date of this
11 section to complete the term of another person, shall not be counted.

Section 9. Until the convening of the [Seventy-fourth General Assembly
2 the House of Representatives] **ninety-seventh General Assembly, the house**
3 **of representatives** shall consist of one hundred sixty-three members elected
4 from the one hundred sixty-three representative districts, as they existed
5 [January 1, 1965] **during the ninety-sixth general assembly. Beginning**
6 **with the ninety-seventh General Assembly, the house of representatives**
7 **shall consist of one hundred one members pursuant to section 2 of this**
8 **article.**

Section 11. The first election of senators and representatives under this
2 constitution, shall be held at the general election in the year one thousand nine
3 hundred and forty-six when the whole number of representatives and the senators
4 from the districts having even numbers, who shall compose the first class, shall
5 be elected, and two years thereafter the whole number of representatives and the
6 senators from districts having odd numbers, who shall compose the second class,
7 shall be elected, and so on at each succeeding general election. **Beginning with**
8 **the general election in 2012, the whole number of representatives shall**
9 **be elected and senators from the first, fourth, seventh, tenth,**
10 **thirteenth, sixteenth, nineteenth, twenty-second, twenty-fifth, twenty-**
11 **eighth, thirty-first, and thirty-fourth districts shall be elected. At the**
12 **general election in 2014, senators from the second, fifth, eighth,**
13 **eleventh, fourteenth, seventeenth, twentieth, twenty-third, twenty-sixth,**
14 **twenty-ninth, and thirty-second districts shall be elected. At the**
15 **general election in 2016, senators from the third, sixth, ninth, twelfth,**
16 **fifteenth, eighteenth, twenty-first, twenty-fourth, twenty-seventh,**
17 **thirtieth, and thirty-third districts shall be elected.**